

DAVIS EXHIBIT 1

Declaration of Jenny L. Foley, Ph.D.

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**UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA**

Audrey Davis,

Plaintiff /
Counterclaim-Defendant,

v.

Rhondie Voorhees,

Defendant /
Counterclaim-Plaintiff,

and,

ERAU,

Defendant.

Case No. 3:21-cv-08249-DLR

**DECLARATION OF JENNY L.
FOLEY, PH.D.**

1 I, Jenny L. Foley, Ph.D., hereby declare under penalty of perjury:

2 1. I am an attorney licensed in the States of Nevada and California.

3 2. I was a former attorney at Randazza Legal Group, PLLC (“RLG”), and I
4 previously was counsel of record for Plaintiff Audrey Davis in this matter.

5 3. I submit this declaration in support of the parties’ Joint Statement of
6 Dispute Regarding Reopening Discovery.

7 4. On July 11, 2023, I had a phone call with former Defendant Rhondie
8 Voorhees’s counsel, Dan Warner, to discuss the possibility of a settlement agreement
9 between Davis and Voorhees. This was the beginning of discussions that ultimately
10 resulted in a settlement agreement being executed on September 11, 2023.

11 5. While I was discussing settlement with Attorney Warner, I noticed
12 Voorhees’s deposition for July 27, 2023. I was primarily handling the case at the time,
13 and so I planned to take the deposition.

14 6. At the time Voorhees’s deposition was initially noticed, I had a surgery
15 scheduled for October 19, 2023. However, I was informed the procedure could be moved
16 up to July 13, 2023. The procedure was then unexpectedly scheduled for August 16, 2023
17 This had the effect of making it so that I was no longer available to conduct Voorhees’s
18 deposition on July 27.

19 7. Because of my unavailability, I had to reschedule Voorhees’s deposition. In
20 coming up with new proposed dates for the deposition, I felt it would be beneficial to
21 reschedule it a week or two after the initial date so that Attorney Warner and I could
22 address some issues with the wording of the settlement agreement.

/s/ Jenny L. Foley
Jenny L. Foley